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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: FEASTER, et al.

Filed: 4 May 2001

Art Group: 2171

Serial No.: 09/848,370

Examiner: To Be Assigned

For: ASSAY FOR DETECTING,
MEASURING AND MONITORING THE
ACTIVITIES AND CONCENTRATIONS
OF PROTEIN AND METHODS OF USE
THEREOF

Atty Docket: P66820US1 (WRAIR 00-23)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. § 1.56, 1.97 and 1.98. References AA1, AE1-AG1, and AI1-AK1 are enclosed. Applicants are endeavoring to obtain the remainder of the references included herewith and will forward them to the Examiner as soon as possible.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may be more material to the examination of this application than the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the

examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- ☐ 2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our check no. ____ in the amount of \$ ____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. _____ in the amount of \$130.00 in payment of the fee under 37 C.F.R. § 1.17(i)(1).
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure

Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

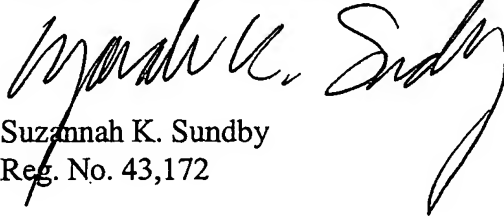
- ☐4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐8. Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-175, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 210380. A duplicate copy of this paper is enclosed.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

A handwritten signature in black ink, appearing to read "Suzannah K. Sundby", is written over the printed name.

Suzannah K. Sundby
Reg. No. 43,172

Date: 3 October 2001

The Jenifer Building
400 Seventh Street, N.W.
Washington, DC 20004-2201
(202) 662-8497

FORM PTO 1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. P66820US1	APPLICATION NO. 09/848,370
	APPLICANT(S) FEASTER, et al.	
	FILING DATE 4 May 2001	GROUP 2171

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AA1	A. H. Anton, Unexpected Cocaine-Induced Fatalities: A Possible Cause, 1988 Nov;22(11):914, Drug Intelligence.
	AB1	D. Clouet, Mechanisms of Cocaine Abuse and Toxicity, NIDA Research Monograph 88.
	AC1	P. Devenyl, 1989;110:167, Ann. Int. Med.
	AD1	F.F. Foldes, Enzymes in Anesthesiology, 1978, Springer-Verlag, NY.
	AE1	P. Jatlow, Cocaine And Succinylcholine Sensitivity: A New Caution, 1979 May-June;58(3);235-8, Lippincott Williams & Wilkins.
	AF1	C. E. Johanson, The Pharmacology Of Cocaine Related To Its Abuse, 1989 Mar;41(1):3-52, American Society For Pharmacology and Experimental Therapeut.
	AG1	M. Martinez-Abad, Ranitidine-Induced Confusion With Concomitant Morphine, 1988 Nov; 22(11):914-5, Drug Intelligence.
	AH1	J. Massoulie, 1982;4:47-106.
	AI1	D. J. Stewart, Cocaine Metabolism: Cocaine and Norcocaine Hydrolysis By Liver And Serum Esterases, 1979 Apr;25(4):464-8, Mosby-Year Book.
	AJ1	D. B. Weissman, Prolonged Neuromuscular Blockade In A Parturient Associated With Succinylcholine, 1983 Apr;62(4):444-6, Lippincott Williams & Wilkins.
	AK1	J. A. Wildsmith, Serum Pseudochoolinesterase, Pregnancy and Suxamethonium, 1972 Jan;27(1):90-1, Blackwell Science, Oxford.

EXAMINER

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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						<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AA1	A. H. Anton, (1988) "Unexpected Cocaine-Induced Fatalities: A Possible Cause", Drug Intelligence Clinical Pharm, 22(11):914.
	AB1	D. Clouet, "Mechanisms of Cocaine Abuse and Toxicity", NIDA Research Monograph 88. (CDROM)
	AC1	P. Devenyl, (1989) "Cocaine Complications and Pseudochoolinesterase", Ann. Int. Med., 110:167.
	AD1	F.F. Foldes, (1978) "Enzymes in Anesthesiology", Library of Congress Cataloging in Publication Data.
	AE1	P. Jatlow, (1979) "Cocaine And Succinylcholine Sensitivity: A New Caution", Anesth. Analg., 58(3):235-8.
	AF1	C. E. Johanson, (1989) "The Pharmacology Of Cocaine Related To Its Abuse", Pharmacol Rev., 41(1):3-52.
	AG1	M. Martinez-Abad, (1988) "Ranitidine-Induced Confusion With Concomitant Morphine", Drug Intelligence Clin Pharm., 22(11):914-5.
	AH1	J. Massoulie, (1982) "The Molecular Forms of Cholinesterase and Acetylcholinesterase in Vertebrates", Annu Rev Neurosci., 4:47-106.
	AI1	D. J. Stewart, (1979) "Cocaine Metabolism: Cocaine and Norcocaine Hydrolysis By Liver And Serum Esterases", Clin Pharmacol Ther., 25(4):464-8.
	AJ1	D. B. Weissman, (1983) "Prolonged Neuromuscular Blockade In A Parturient Associated With Succinylcholine", Anesth Analg., 62(4):444-6.
	AK1	J. A. Wildsmith, (1972) "Serum Pseudochoolinesterase, Pregnancy and Suxamethonium", Anaesthesia, 27(1):90-1.

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Notice of References Cited	Application/Control No. 09/848,370	Applicant(s)/Patent Under Reexam Feaster et al.	
	Examiner Sandra Saucier	Art Unit 1651	Page 1 of 1

U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Name	Classification ²	
A	5,674,688	10/1997	Kauvar et al.	435	7.1
B					
C					
D					
E					
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H					
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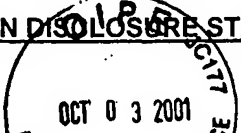
FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY ¹	Country	Name	Classification ²	
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Chemnitius et al., "Mipaflox Differential Inhibition Assay for Heart Muscle Cholinesterases: Substrate Specificity and Inhibition of Three Isoenzymes by Physostigmine and Quinidine", Gen. Pharmacology 28 (4) : 565-75 (1997).
V	Simeon-Rudolf et al., "Heterogeneity of human serum cholinesterase revealed by thiocholine substrates", Periodicum Biologorum 98 (3) : 331-5 (1996).
W	Durrani et al., "Specific Inhibitors and Substrates Studies on the Cholinesterases of Fasciola Gigantica from Sheep and Goats", Cellular & Molecular Biology 29 (1) : 49-52 (1983).
X	

* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a). ¹ Dates in MM-YYYY format are publication dates. ² Classifications may be U.S. or foreign.

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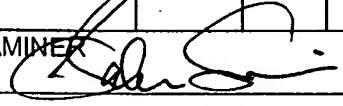
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	AC1 x	P. Devenyl, 1989;110:167, Ann. Int. Med. p. 2
	AD1 x	F.F. Foldes, Enzymes in Anesthesiology, 1978, Springer-Verlag, NY. p. 3
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	AK1	J. A. Wildsmith, Serum Pseudocholinesterase, Pregnancy and Suxamethonium, 1972 Jan;27(1):90-1, Blackwell Science, Oxford.

EXAMINER



3/13/03

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